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10/064,064	06/06/2002	Shoichi Sawa	086142-0521	3161

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FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

SMITH, KIMBERLY S

ART UNIT	PAPER NUMBER
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3644

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/064,064
Filing Date: June 06, 2002
Appellant(s): SAWA ET AL.

MAILED

NOV 30 2004

GROUP 3600

Howard Shipley
Joann K. Corey
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 09/30/04.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The rejection of claims 1-5 and 10-20 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,568,663	BROWN	10-1996
2,421,228	WHITE	10-1944

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-5, and 10-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Brown, US Patent 5,568,663 in view of White, US Patent 2,421,228.

Brown discloses an inflator comprising a bottle (34) having an axial direction, a sealing plate (column 4, line 40) to seal the bottle at an orifice, a receiving member (24) having an axial direction. However, Brown doesn't disclose projections extending only partially around the periphery of the bottle. White teaches within the analogous art of coupling mechanism, a coupling used to modify a previously threaded coupling into a bayonet type connector (inherently having a projection extending only partially around the periphery of the bottle) for the purpose of a quick connection between two components and preventing leakage due to pressure of a fluid flowing there through (column 1, lines 2-7). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the coupling as taught by White with the device of Brown in order to increase the speed in which the inflator may be attached.

Brown as modified further discloses the receiving member including grooves into which projections from the bottle mate in an axial direction, wherein the projection is configured to move axially within the receiving member prior to mating with the groove; wherein the bottle extends into the receiving member; wherein the projection is located on the outside of the bottle.

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and extends in a direction generally perpendicular to the axial direction of the bottle; wherein an end of the bottle having the projection fits into an open end of the receiving ember, wherein the receiving member is configured to communicate with an airbag (12). Brown as modified further discloses a bayonet-type connector that is known to have a guide groove, a key groove and a key that rests in the key groove to prevent releasing of the connection.

(11) *Response to Argument*

With respect to the Appellant's traversal of the assertion that White inherently discloses a projection extending only partially around the periphery of the bottle, this is respectfully disagreed with. White discloses locking lugs 11, which have been identified by the Examiner to correspond to the projections as claimed. As can clearly be seen in Figure 6 of the White reference, there are "3" projections shown. It is believed that this figure provides "a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teaching." This inherency is further seen in the Appellant's own arguments when it is stated that "White discloses discrete locking lugs 11". The *Merriam-Webster's Collegiate Dictionary* defines the word discrete as "consisting of distinct or unconnected elements, noncontinuous". As such, it is believed that the cited references teach all the features of the claimed invention.

With respect to the Appellant's arguments regarding the differences between slots and grooves, that being a groove is a long, narrow channel or depression and is clearly distinguishable from the slots of White. While the Appellant may be their own lexicographer, the Appellant has not given this specific definition to the term "groove" within the specification.

As such, per MPEP section 2111.01 "the claims must be interpreted as broadly as their terms

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

reasonably allow". As White discloses a channel that directs or guides an object (i.e. the projections) along a desired course, it meets the general definition of a "groove" and therefore teaches the limitations of the claimed invention.

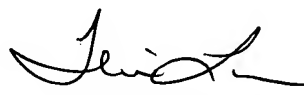
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

kss
November 26, 2004

Conferees

Teri Luu 
Michael Carone 


TERI PHAM LUU
SUPERVISORY
PRIMARY EXAMINER

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007